

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 16th day of May, 2011 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight Mayor
Vickie Abrego Mayor Pro Tempore
Jay Attaway Council Member
Ross McElwee Council Member
Phillip Hyatt Council Member

ABSENT:

ADMINISTRATIVE
PERSONNEL PRESENT: Allen Lawrence City Attorney
Reggie Winters City Manager
Dawn Alvarado Administrative Assistant

ADMINISTRATIVE
PERSONNEL ABSENT: Yvonne Stonebraker City Secretary

STAFF PRESENT: Darrell Jones Police Chief
Rickie Kilgore Fire Chief
Frank Truitt City Inspector
Sandy Roddel Finance Director

OTHERS PRESENT: Donald Brummett, Jim & Alpha Covington, Ernie Torres, Ann Melton, Brenda McElwee, Jim Mills, Capt. Tom Doran, Douglas Carr, George Binder, Terry Stansberry, Mike & Jan Moore, Hope Pena, David Underbrink/Naismith Engineering, Jean & Randy Hunter and Rosemary Vega/CoC.

There may have been others present who did not sign in.

- 1. CALL MEETING TO ORDER.**

Mayor Knight called the meeting to order at 7:00 P.M. on May 16, 2011.
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**

Mayor Pro Tem Abrego gave the invocation. Mayor Knight led the pledge of Allegiance to the United States Flag.
- 3. CONSIDER AND ACT ON MINUTES OF MAY 2 AND MAY 9, 2011.**

Council Member Hyatt made a motion to approve the minutes of May 2 and May 9, 2011. Council Member Attaway seconded the motion and the motion carried unanimously.
- 4. CONSIDER AND ACT ON APPROVING THE CITY OF ARANSAS PASS' 2009-2010 FINANCIAL AUDIT PRESENTED BY MICHAEL ARNOLD, PLLC.**

Mike Arnold presented the City's 2009-2010 financial audit to the City Council stating that he had issued an unqualified or clean opinion of the audit.

Council Member McElwee approved the City of Aransas Pass' 2009-2010 financial audit as presented by Michael Arnold, PLLC. Council Member Hyatt seconded the motion and the motion carried unanimously.
- 5. CONSIDER AND ACT ON POTENTIAL FUTURE ZONING AND ARCHITECTURAL REQUIREMENTS IN CONN BROWN HARBOR THAT MAY AFFECT REDFISH BAY BOATHOUSE, LLC, DEVELOPMENT.**

Council Member McElwee made a motion to allow Redfish Bay Boathouse, LLC to build their first and second boathouse under the existing zoning and architectural ordinances with any other buildings falling under the new zoning and architectural ordinances. Council Member Attaway seconded the motion and the motion carried unanimously.

6. **CONSIDER AND ACT ON REQUEST OF MR. ROLAND PENA, ADULT TOURNAMENTS, TO ALLOW ALCOHOL ON THE ARANSAS PASS SOFTBALL COMPLEX GROUNDS.**

Ms. Pena spoke on Mr. Roland Pena's behalf.

Ms. Pena stated games are held on Monday's and Wednesday's with make-up games on Thursday. She stated the latest they are out on the fields was 10:00 PM. She stated there was an existing sign (which is old and faded) that reads no open containers. Ms. Pena stated there was not a fence around the complex to keep people from bringing alcohol to the games. She stated she does not sell alcohol at the games. Ms. Pena stated all she would like to do is have alcohol allowed on game days so the spectators would not get in trouble while drinking and watching the game.

City Manager Reggie Winters stated the only problem he had with alcohol was the Aquatic Center and Softball Complex share a parking lot and when the Aquatic Center employees come to work, there are beer cans in the parking lot. He stated there were beer cans left in the dug outs, as well. He stated he had been to the Softball Complex several times (the day after games were played) and took pictures of the alcohol cans left behind.

City Attorney Allen Lawrence stated the Council could change the Ordinance if they wanted to.

Council Member Attaway stated he thought it would be a bad idea to allow alcohol on the Softball Complex grounds.

Ms. Pena stated allowing alcohol at the Softball Complex was an alternative method than having people hang out in bars.

Council Member McElwee stated he did not feel comfortable allowing alcohol at the Softball Complex, because the Softball Complex sets so close to the pool.

Ms. Pena stated the games are held between 7:00pm to 10:00pm and they never see anyone at the pool.

Mayor Pro Tem Abrego stated her concern was cans being left in the dug outs. She asked Ms. Pena if the Council approved alcohol on the grounds, would alcohol be allowed in the dugouts.

Ms. Pena stated yes.

Mayor Pro Tem Abrego stated she was afraid allowing alcohol in the dugouts could lead to serious problems.

Ms. Pena stated the players had been drinking alcohol in the dugouts for awhile now and has had no problems and she (Ms. Pena) was coming to the City so her and her husband could be compliant with the City.

Council Member McElwee made a motion to deny the request of Mr. Roland Pena, Adult Tournaments, to allow alcohol on the Aransas Pass Softball Complex grounds. Mayor Pro Tem Abrego seconded the motion and the motion carried with Council Member Hyatt voting no.

7. **CONSIDER AND ACT ON REQUEST OF MR. FRED FURMAN, COASTAL BEND CAB CO., TO INCREASE METER RATES FOR CAB COMPANIES DUE TO HIGH GAS PRICES.**

Mayor Knight stated it had been a while since cab companies had requested meter rate increases.

Mr. Fred Furman, Coastal Bend Cab Company, stated it had been six years since their last meter rate increase. He stated he would like to increase meter rates by twenty-five cents, bringing the total to two dollars and twenty-five cents a mile.

Council Member Attaway made a motion to approve the request of Mr. Fred Furman, Coastal Bend Cab Co., to increase meter rates by twenty-five cents for cab companies due to high gas prices. Council Member Hyatt seconded the motion and the motion carried unanimously.

8. **CONSIDER AND ACT ON APPROVING THE ARANSAS PASS CRIME CONTROL AND PREVENTION DISTRICT'S 2011-2012 FISCAL YEAR BUDGET.**

Mayor Knight stated the Council would need to hold a public hearing before approving the Aransas Pass Crime Control and Prevention District's budget.

Aransas Pass Crime Control and Prevention District (APCC&PD) President James A. Mills stated, due to being elected for City Council, he was resigning from the APCC&PD board to avoid any type of conflict of interest.

Council Member McElwee made a motion to schedule a public hearing on Monday, June 6, 2011 for the Aransas Pass Crime Control and Prevention District's 2011-2012 fiscal years proposed budget. Council Member Hyatt seconded the motion and the motion carried unanimously.

9. **CONSIDER AND ACT ON A JOINT MEETING BETWEEN THE CITY COUNCIL AND THE ARANSAS PASS CRIME CONTROL AND PREVENTION DISTRICT.**

The City Council passed on Agenda Item number 9.

10. **REVIEW AND DISCUSS NEED FOR AN ORDINANCE BANNING DISPERSAL OF PROMOTIONAL ADVERTISEMENTS.**

Council Member McElwee stated the Corpus Christi Caller Times prints penny saver advertisements and pays to have them dispersed through out the City. He stated it was littering Aransas Pass and would like for the Council to approve an Ordinance banning it.

City Attorney Lawrence stated he did not think the dispersal of promotional advertisements could be banned completely because it is a Freedom of Speech issue. He stated the City Council could attack the issue from a littering stand point.

City Inspector Frank Truitt stated promotional advertisements thrown on your property would be a violation of the Health and Safety Code Chapter 365. He stated it would take a law enforcement officer to cite the person doing it. He stated it would be a Class C Misdemeanor.

11. **CONSIDER AND ACT ON CALLING A SPECIAL MEETING TO CANVASS THE VOTES OF THE MAY 14, 2011 ELECTION.**

After a brief discussion, Council Member McElwee made a motion to approve Monday, May 23, 2011 at 7:00pm as a Special Meeting to canvass the votes of the May 14, 2011 election. Council Member Hyatt seconded the motion and the motion carried unanimously.

12. **REVIEW AND DISCUSS FINANCIAL REPORTS.**

City Manager Winters stated the financial report figures were good through April 30, 2011. He stated sales tax was up by \$50,000 year to date and all departments were within their budgets.

13. **CITIZENS COMMENTS.**

There were none.

14. **ADJOURNMENT OF MEETING.**

Council Member Attaway made a motion to adjourn the meeting. Council Member McElwee seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 7:45 P.M.

Tommy Knight, Mayor

ATTEST:

Yvonne Stonebraker, City Secretary